

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Tyrese Thomas,

Plaintiff,

v.

State of Minnesota,

Defendant.

Case No. 21-cv-1955 MJD/ECW

ORDER

Based upon the Report and Recommendation by United States Magistrate Judge Elizabeth Cowan Wright dated September 8, 2021, all the files and records, and no objections having been filed to said Report and Recommendation, **IT IS HEREBY ORDERED** that:

1. The Court **ADOPTS** the Report and Recommendation of Magistrate Judge Elizabeth Cowan Wright (Dkt. No. 6).
2. This matter is **DISMISSED WITHOUT PREJUDICE**.
3. Petitioner Tyrese Thomas's application to proceed *in forma pauperis* (Dkt. 2) is **DENIED**.
4. No certificate of appealability shall be issued.

LET JUDGEMENT BE ENTERED ACCORDINGLY.

DATED: October 7, 2021

s/Michael J. Davis
MICHAEL J. DAVIS
United States District Judge